January 2, 2014
1420 East 6th Ave.
P.O. Box 200701
Helena, MT 59620-0701

Environmental Quality Council
Montana Department of Environmental Quality
Montana Department of Fish, Wildlife and Parks
Fisheries Bureau
Endangered Species Coordinator
Native Species Coordinator - Fisheries
Missoula Office
Montana State Library, Helena
MT Environmental Information Center
Montana Audubon Council
Montana Wildlife Federation
Wayne Hadley, 1016 Eastside Road, Deer Lodge, MT 59722
Montana River Action, 304 N 18th Avenue, Bozeman, MT 59715
Granite Conservation District, P.O. Box 926, Philipsburg, MT 59858
U.S. Army Corp of Engineers, Helena
U.S. Fish and Wildlife Service, Helena
State Historic Preservation Office, Helena
Trout Unlimited, 111 N. Higgins, Suite 500, Missoula, MT 59802
Pintler Ranger District, 88 Business Loop, Philipsburg, MT 59858
Anthony Marletto, 1458 Upper Rock Creek Rd., Philipsburg, MT 59858

Ladies and Gentlemen:

Please find enclosed an Environmental Assessment prepared for the Future Fisheries Improvement Program. The Program tentatively plans to provide partial funding for a project calling for the replacement of an existing diversion dam located on Stony Creek with construction of a rock cross vane. The re-constructed diversion also would include a new fish screen. Stony Creek is a tributary to Rock Creek that supports a mixed salmonid assemblage, including westslope cutthroat trout and bull trout. The intent of the project is to improve upstream fish passage and eliminate entrainment losses of out-migrating juveniles and adult fish. The project site is located on Stony Creek on property owned by the Beaverhead-Deerlodge National Forest approximately 15 miles west of the town of Philipsburg in Granite County.

Please submit any comments that you have by 5:00 P.M., February 3, 2014 to the Department of Fish, Wildlife and Parks in Helena at the address listed above. Funding for this project through the Future Fisheries Improvement Program is contingent upon approval being granted by the Fish, Wildlife and Parks Commission. If you have any questions, feel free to contact me at (406) 444-2432. Please note that this draft EA will be considered as final if no substantive comments are received by the deadline listed above.

Sincerely,

Mark Lere, Program Officer
Habitat Bureau
Fisheries Division
e-mail: mlere@mt.gov

ENVIRONMENTAL ASSESSMENT
Fisheries Division
Montana Fish, Wildlife and Parks
Stony Creek Diversion Re-construction and Fish Screen Project

General Purpose: The 1995 Montana Legislature enacted statute 87-1-272 through 273 which directs the Department to administer a Future Fisheries Improvement Program. The program involves physical projects to restore degraded fish habitat in rivers and lakes for the purpose of improving wild fisheries. The legislature established an earmarked funding account to help accomplish this goal. Additionally, the 1999 Montana Legislature amended statute sections 87-1-273, 15-38-202 and Section 5, Chapter 463, Laws of 1995 to create a bull trout and cutthroat trout enhancement program. This legislation was amended again in 2103 to open the program to all native fish species (statute section 87-1-283). The program now calls for the enhancement of native fish through habitat restoration, natural reproduction and reductions in species competition by way of the Future Fisheries Program.

The Future Fisheries Program is proposing to provide partial funding to a project calling for the re-construction of an irrigation diversion located on Stony Creek, a tributary to Rock Creek, by replacing an existing, makeshift dam with a rock cross vane and by installing a fish screen. The intent of this project is to improve upstream fish passage and eliminate fish entrainment into the ditch. The project site is located approximately 15 miles west of town of Philipsburg in Granite County on property owned by the Beaverhead-Deerlodge National Forest.

I. Location of Project: This project will be conducted on a reach of Stony Creek, a tributary to Rock Creek, within Township 7 North, Range 16 West, Section 21 in Granite County (Attachment 1).

II. Need for the Project: One goal within Montana Fish, Wildlife and Parks six year operations plan for the fisheries program is to "restore and enhance degraded habitats" by implementing habitat restoration projects and administering the Future Fisheries Improvement Program to restore important habitats on public and private lands. This proposed project would help meet this goal.

Stony Creek is a tributary to Rock Creek that supports a mixed salmonid assemblage, including westslope cutthroat trout, bull trout, rainbow trout and brown trout. Currently, an existing irrigation diversion located near the mouth of the stream hinders upstream fish passage and entrains fish into the ditch. Fifty-three westslope cutthroat trout and 53 brown trout were collected in the ditch during an entrainment monitoring effort conducted in 2009. This makeshift diversion currently consists of a series of concrete ecology blocks and hand-placed stone and particularly blocks fish passage during periods of low stream flow (Attachment 2).

III. Scope of the Project:

This project calls for enhancing upstream fish passage in Stony Creek by replacing an existing, makeshift diversion dam with a vortex rock weir (Attachment 3). The project also calls for eliminating fish entrainment by installing a fish screen and associated fish by-pass structure into the ditch, just down-canal from the existing head gate.

This project is expected to cost $48,813.00. Of this total, the Future Fisheries Improvement Program would be contributing up to $23,774.00. The remaining funding would come from other sources and from in-kind services:

Contributor	In-kind service	In-kind cash
Trout Unlimited	$4,480.00	$599.30
US Fish and Wildlife Service		$10,000.00
Rock Creek Ranch		$10,000.00

IV. Environmental Impact Checklist:

Please see attached checklist.

V. Explanation of Impacts to the Physical Environment

1. Terrestrial and aquatic life and habitats.

Stony Creek supports a mixed salmonid assemblage. The upper drainage supports almost entirely native westslope cutthroat trout and bull trout, while a mix of native and non-native species are found in lower portions of the drainage. Fluvial bull trout are also known to spawn in Stony Creek. This project would improve upstream passage for fish making seasonal migrations into Stony Creek and would eliminate a source of fish entrainment into the ditch system.

2. Water quantity, quality and distribution.

Short-term increases in turbidity will occur during project construction. To minimize turbidity, operation of equipment in the active channel will be minimized to the extent practicable. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota (318 authorization). A 310 permit (Montana Natural Streambed and Land Preservation Act) will be obtained from the local conservation district and the U.S. Army Corp of Engineers will be contacted to determine the requirements to meet the federal Clean Water Act (404 permit).

Reconstruction of the diversion dam will continue to maintain the ability to divert water and will not interfere with existing water rights.

3. Geology, soil quality and moisture.

Soils within the construction footprint would be disturbed during construction (less than 0.5 acres), but would be stabilized with re-seeding.

4. Vegetation cover, quantity and quality.

Vegetation within the construction footprint would be disturbed during construction. Re-seeding

following project completion would mitigate for this disturbance.

5. Aesthetics.

Aesthetics would be negatively impacted during project construction due to ground disturbance and the presence of heavy equipment. In the long term, aesthetics would be enhanced by replacing a makeshift diversion structure with a more natural rock drop-structure.

7. Unique, endangered, fragile or limited environmental resources.

Stony Creek supports populations of westslope cutthroat trout and bull trout, and seasonally supports fluvial bull trout. This project is expected to improve habitat conditions in Stony Creek and, as a result, is expected to enhance these native fish populations. Because Stony Creek supports bull trout, consultation will need to be undertaken with the U.S. Fish and Wildlife Service (Service). Program funding will not be provided until concurrence is received by the Service

9. Historic and archaeological sites.

The existing diversion has been frequently disturbed by continual maintenance associated with the in-channel diversion dam. As a result, there is a very low likelihood that cultural properties will be impacted by the proposed project. Should cultural materials be inadvertently discovered during the project, the State Historic Preservation Office will be contacted and the site will be investigated.

VI. Explanation of Impacts on the Human Environment.

7. Access to & quality of recreational and wilderness activities.

Rock Creek supports one of the more popular recreational fisheries in Montana. This project is expected to increase recruitment of both native and non-native fish species to Rock Creek, thus potentially improving this popular recreational fishery.

VII. Discussion and Evaluation of Reasonable Alternatives.

1. No Action Alternative

If no Program funding is provided, the applicant would have to either seek additional sources of funding to complete the project or this portion of Stony Creek would remain degraded. An existing irrigation diversion would continue to be a source of entrainment losses and act as a seasonal upstream migration barrier to fish.

2. The Proposed Alternative

The proposed alternative is designed to provide partial funding to a project calling for the re-construction of an existing irrigation diversion that would result in improved upstream fish passage and the elimination of fish entrainment losses. Fish populations, including westslope cutthroat trout

and bull trout, are expected to be enhanced.

VIII. Environmental Assessment Conclusion Section

1. Is an EIS required? No.

   We conclude from this review that the proposed activities will have a positive impact on the physical and human environment.

2. Level of public involvement.

   The project application to the Future Fisheries Improvement Program has been posted on the Montana Fish, Wildlife and Park webpage for public comment. No comments have been received to date. The proposed project was reviewed and supported by the public review panel of the Future Fisheries Improvement Program. The proposed project also will be reviewed by the Fish, Wildlife and Parks Commission and funding will be contingent upon their approval. The Environmental Assessment (EA) is being distributed to all individuals and groups listed on the cover letter. The EA will be published on Montana Fish, Wildlife and Parks webpage: fwp.mt.gov.

3. Duration of comment period?

   Public comment will be accepted through 5:00 PM on February 3, 2014.

4. Person responsible for preparing the EA.

   Mark Lere, Program Officer
   Habitat Bureau
   Fisheries Division
   Montana Department of Fish, Wildlife and Parks
   1420 East 6th Avenue
   Helena, MT 59620
   Telephone: (406) 444-2432
   e-mail: mlere@mt.gov

MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
1420 E 6th Ave, PO BOX 200701, Helena, MT 59620-0701
(406) 444-2535

ENVIRONMENTAL ASSESSMENT

Project Title Stony Creek Diversion Re-construction and Fish Screen Project

Division/Bureau Fisheries Division -Future Fisheries Improvement

Description of Project The Future Fisheries Improvement Program is proposing to provide partial funding to a project designed to re-construct an irrigation diversion located on Stony Creek by replacing an existing, makeshift dam with a rock cross vane and by installing a fish screen. The intent of the project is to improve upstream fish passage and to eliminate fish entrainment into the ditch. The project site is located on the Stony Creek, a tributary to Rock Creek, approximately 15 miles west of the town of Philipsburg in Granite County.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
1. Terrestrial & aquatic life and habitats			X			X
2. Water quality, quantity & distribution			X			X
3. Geology & soil quality, stability & moisture			X			X
4. Vegetation cover, quantity & quality			X			X
5. Aesthetics			X			X
6. Air quality				X		
7. Unique, endangered, fragile, or limited environmental resources			X			X
8. Demands on environmental resources of land, water, air & energy				X		
9. Historical & archaeological sites				X		X

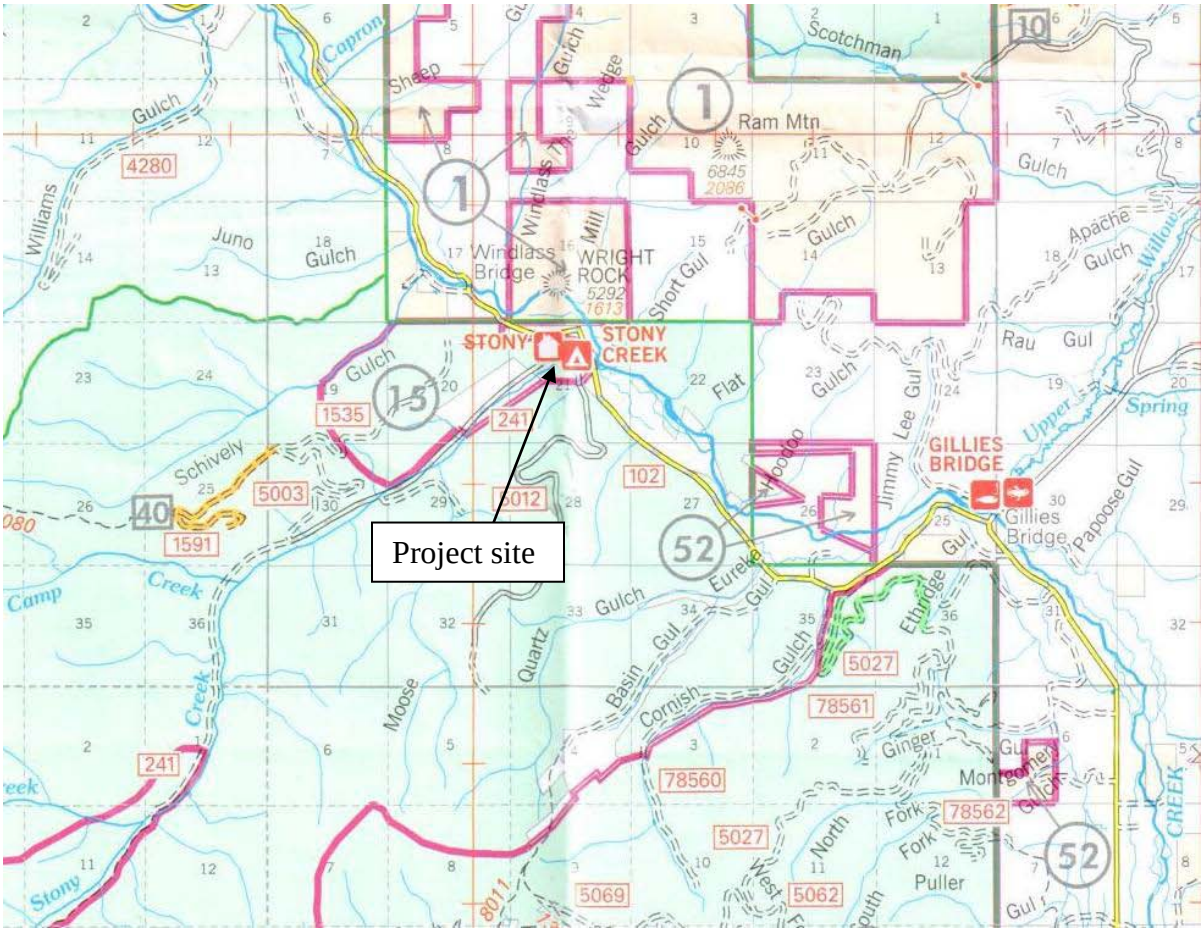
POTENTIAL IMPACTS ON THE HUMAN ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
1. Social structures & mores				X		
2. Cultural uniqueness & diversity				X		
3. Local & state tax base & tax revenue				X		
4. Agricultural or industrial production				X		
5. Human health				X		
6. Quantity & distribution of community & personal income				X		
7. Access to & quality of recreational and wilderness activities			X			X
8. Quantity & distribution of employment				X		
9. Distribution & density of population & housing				X		
10. Demands for government services				X		
11. Industrial & commercial activity				X		
12. Demands for energy				X		
13. Locally adopted environmental plans & goals				X		
14. Transportation networks & traffic flows				X		

Other groups or agencies contacted or which may have overlapping jurisdiction Granite Conservation District, US Fish and Wildlife Service, US Army Corp of Engineers, Montana Department of Environmental Quality, State Historic Preservation Office

Individuals or groups contributing to this EA Casey Hackathorne, Trout Unlimited.

Recommendation concerning preparation of EIS No EIS required.
EA prepared by: Mark Lere
Date: December 30, 2013



Map showing location of project site on Stony Creek
ATTACHMENT 1

Existing diversion on Stony Creek

ATTACHMENT 2

Example of a vortex rock wier

ATTACHMENT 3